

House Study Bill 568

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON SMITH)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the departments of public health and human
2 services to collect data and develop a protocol to address the
3 relationship between substance misuse, abuse, or dependency by
4 a child's parent, guardian, or custodian and child abuse.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5091HC 82
7 jp/nh/5

PAG LIN

1 1 Section 1. SUBSTANCE ABUSE AND CHILD ABUSE.
1 2 1. The departments of public health and human services
1 3 shall conduct a study involving the collection of information
1 4 regarding the relationship between substance misuse, abuse, or
1 5 dependency by a child's parent, guardian, or custodian and
1 6 child abuse. The purpose of the study is to identify
1 7 effective means of reducing the incidence and impact of child
1 8 abuse, including denial of critical care and interventions
1 9 with families by the child welfare system, that is wholly or
1 10 partially caused by substance misuse, abuse, or dependency by
1 11 the child's parent, guardian, or custodian.
1 12 2. The data, activity, and information addressed by the
1 13 study shall include but is not limited to all of the
1 14 following:
1 15 a. The departments shall develop data identifying the
1 16 prevalence of the presence of children in the household among
1 17 adults receiving substance use disorder evaluations. The
1 18 initial data collected shall cover at least three months of
1 19 the fiscal year beginning July 1, 2008.
1 20 b. The department of human services shall include in the
1 21 written assessment made for a child abuse report a
1 22 determination as to whether or not substance misuse, abuse, or
1 23 dependency by the child's parent, guardian, or custodian was a
1 24 factor in the report and finding of abuse. The department
1 25 shall provide nonidentifying information concerning the
1 26 prevalence of the determinations in child abuse assessments.
1 27 The initial data collected shall cover at least three months
1 28 of the fiscal year beginning July 1, 2008.
1 29 c. The departments shall develop and implement a protocol
1 30 to jointly address those child abuse cases that are wholly or
1 31 partially caused by substance misuse, abuse, or dependency by
1 32 the child's parent, guardian, or custodian. The protocol
1 33 shall initially be implemented by the departments on or before
1 34 July 1, 2009.
1 35 3. The departments shall make an initial report to the
2 1 governor and the standing committees on human resources of the
2 2 senate and house of representatives concerning the initial
2 3 data collected, preliminary recommendations, and status of the
2 4 protocol development pursuant to this section on or before
2 5 February 15, 2009, and shall make a report covering the
2 6 initial data for a twelve-month period on or before February
2 7 15, 2010.

EXPLANATION

2 8 This bill requires the departments of public health (DPH)
2 9 and human services (DHS) to perform a study, collect data, and
2 10 develop a protocol to address the relationship between
2 11 substance misuse, abuse, or dependency by a child's parent,
2 12 guardian, or custodian and child abuse.
2 13 The DPH and DHS are required to develop data identifying
2 14 the prevalence of the presence of children in the household
2 15 among adults receiving substance use disorder evaluations; DHS
2 16

2 17 is required to include in the written assessment made for a
2 18 child abuse report a determination as to whether or not
2 19 substance misuse, abuse, or dependency by the child's parent,
2 20 guardian, or custodian was a factor in the report and finding
2 21 of abuse; and DPH and DHS are required to develop and
2 22 implement a protocol to jointly address those child abuse
2 23 cases that are wholly or partially caused by substance misuse,
2 24 abuse, or dependency by the child's parent, guardian, or
2 25 custodian.
2 26 The bill includes dates for reporting to the governor and
2 27 committees on human resources of the senate and house of
2 28 representatives.
2 29 LSB 5091HC 82
2 30 jp/nh/5